UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1993/117
30 March 1993

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Forty-ninth session
Agenda items 12 and 27

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

SITUATION OF HUMAN RIGHTS IN THE TERRITORY OF THE FORMER YUGOSLAVIA

Letter dated 10 March 1993 from the Chargé d'affaires a.i. of the Federal Republic of Yugoslavia to the United Nations Office at Geneva addressed to the Chairman of the Commission on Human Rights

Upon specific instructions by my Government and in reference to the letter dated 4 March 1993 forwarded to you by the Special Rapporteur of the Commission on Human Rights, Mr. T. Mazowiecki, I would like to inform you of the position of the Government of the Federal Republic of Yugoslavia.

In this connection, we regret to have to conclude that Mr. T. Mazowiecki as the Special Rapporteur of the Commission on Human Rights, charged with investigating the situation of human rights in the territory of the former Yugoslavia, once again resorted to the practice of unobjective reporting to the Commission on events in this space. By presenting unconfirmed allegations of grave and mass violations in the place named Cerska only on the basis of reports and accounts, without stating concretely their content or specifying the kind of the alleged mass violations committed in the region of Cerska, the Special Rapporteur has on this occasion too through his unobjectivity "self-disqualified" himself for the extremely important function he was mandated with by this Commission.

GE.93-12482 (E)

The racial and discriminatory approach was once again confirmed in his letter, that is the Serbs and Serb forces are accused of all the crimes against and violations of human rights including the allegation that the Serb forces are, in this case, on the offensive. It is a well-known fact that the Muslim forces in eastern Bosnia have been on the offensive for the past two months, during the very peace negotiations in Geneva and New York.

The statement made by the UNPROFOR Commander in Bosnia and Herzegovina, General P. Morillon, on 7 March 1993, after visiting Cerska, in which he stated he could not establish any kind of massacres and mass violations of human rights Mr. T. Mazowiecki speaks of in his letter on the basis of arbitrary and fabricated reports, also confirms the unobjectivity of Mr. T. Mazowiecki as a Special Rapporteur of the Commission and shatters the credibility of the function of a special rapporteur as a whole.

We would like to point out one other untruth in the reporting of Mr. T. Mazowiecki referring to allegations of the destruction of mosques in Sandzak which was refuted outright in the report of the Thomson mission of the Conference on Security and Cooperation in Europe which visited the Federal Republic of Yugoslavia from 13 to 18 January 1993.

We would like to take this opportunity to point out that actions undertaken on the basis of unconfirmed data and world media coverage for the protection of human rights, or for any other purpose, in such a complex situation as is the one in the territory of former Yugoslavia are inadmissible since they question the principles and objectives of efforts aimed at achieving peace and the protection of human rights.

World media, unfortunately, with very few exceptions, for reasons known to them, perform with a pathologically distorted logic accusing in advance only one - the Serb side - for all the suffering in the territory of former Yugoslavia, hence artificially creating problems and situations they thereon attempt to resolve by themselves.

We consider that every special rapporteur of the Commission on Human Rights, as a respected personality of high moral qualities, has first of all to take into account facts and on the basis of established facts to proceed towards an objective and impartial reporting on findings to be presented to the Commission on Human Rights, something Mr. T. Mazowiecki has not done so far.

At the same time, we express our hope that the Commission shall find ways to review the problem of the reporting of the said Special Rapporteur and that it shall invest its efforts in designating a personality able to carry out this honourable function guided by the principles and practices of the Commission.

The Government of the Federal Republic of Yugoslavia remains constant in its orientation toward a most comprehensive protection of human rights, not only on its territory but also in the entire world, and with this as its aim is prepared to continue to cooperate to the utmost with the Commission on Human Rights.

I would also kindly ask you to have your office circulate this letter as an official document of the forty-ninth session of the United Nations Commission on Human Rights under agenda items 12 and 27.

(Signed): Dr. Vladimir Pavicevic
Ambassador